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IR-2171 (2-3689)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

Thomas J. RIBARICH

Serial No.: 10/678,004

Filed: October 2, 2003

For: COMPACT FLUORESCENT LAMP PACKAGE

Confirmation No.: 9223

Date: October 4, 2007

Group Art Unit: 2875

Examiner: Hargobind S. Sawhney

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

This paper is responsive to the Notification of Non-Compliant Appeal Brief mailed on September 4, 2007.

In the Notification, the Examiner indicated that Applicant's Appeal Brief filed on May 29, 2007 does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal. Applicant disagrees with the Examiner and notes that a concise summary of the independent claims with references to the specification and drawings may be found on pages 2-4 of the filed Appeal Brief. However, to advance this appeal without unnecessary delays, Applicant submits herein a paper providing a substitute summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v). In accordance with MPEP 1205.03, "an entire new brief need not, and should not, be filed."

### **SUMMARY OF CLAIMED SUBJECT MATTER**

Compact fluorescent lamp packages (hereinafter "CFLP") have been recently introduced into the market as an energy efficient alternative to standard incandescent light bulbs. A conventional CFLP, however, is taller than a conventional incandescent light bulb, which is about 4.5" tall. The additional height of CFLP is attributable to its auxiliary elements such as auxiliary housing. As a result, a conventional CFLP may not fit within an existing light fixture or may extend out of a lamp shade or a fixture adapted for an incandescent light bulb causing an undesirable appearance.

Further, a ballast of a conventional CFLP is housed in the auxiliary housing. The heat generated by the ballast cannot efficiently escape from the housing. Consequently, there is a higher ambient temperature around the CFLP that causes the internal components of the CFLP, especially the ballast, to run at even higher temperatures, often above 150°C. This high internal temperature decreases reliability of the CFLP, causes field failures and limits the use of conventional CFLPs to open, rather than enclosed, fixtures, all of which discourage the acceptance of CFLPs in the marketplace. Moreover, physical dimensions and the unusual appearance of conventional CFLPs are believed to adversely affect their desirability.

Broadly stated, the claimed invention is directed to a solution of the above problems. Claims 1 and 38 are the only independent claims pending. The following description is provided in accordance with 37 C.F.R. § 41.37(c)(1)(v), as an explanation of the subject matter of the independent claims. This description is illustrative only, and not limiting, of the scope of the claims.

Independent claim 1 recites a compact fluorescent lamp package (9; page 5, paragraph [0036]; Fig. 3) including a screw base (10; page 5, paragraph [0036]; Fig. 3) for electrically connecting the lamp package (9) to an electrical socket which is capable of receiving a screw base of an ordinary incandescent lamp. The screw base (10) includes an open end (34; page 8, paragraph [0047]; Fig. 5) and a closed end (36; page 8, paragraph [0047]; Fig. 5) and a wall (38; page 8, paragraph [0047]; Fig. 5) surrounding the closed end (36) to provide an enclosure around

an interior space of the base (10). A multi-chip module (16; page 6, paragraphs [0040]-[0041]; Fig. 4) including a complete ballast circuit formed on a single circuit board (18; page 6, paragraph [0041]; Fig. 4) is contained inside the screw base (10) and is electrically connected to the screw base (10) to receive power through the screw base (page 6, paragraphs [0040]-[0041]; pages 8-9, paragraph [0048]; Figs. 4-5). Circuit board (18) includes opposing surfaces, one surface facing the opening (34) and the other surface facing the closed end (36) (page 6, paragraph [0041]; Figs. 4 and 5). A thermally conductive body (40; page 8, paragraph [0047]; Fig. 5) is disposed around the ballast circuit supporting the multi-chip module (16) within the screw base (10) and thermally connecting the wall (38) directly to the ballast circuit, thus enabling the screw base (10) to dissipate heat generated by the ballast circuit. The compact fluorescent lamp package further includes a fluorescent lamp (12; page 7, paragraph [0043]; Figs. 3, 5 and 6) extending away from the screw base (10) and operatively connected to the ballast circuit.

Independent claim 38 recites a compact fluorescent lamp (9; page 5, paragraph [0036]; Fig. 3) including a screw base (10; page 5, paragraph [0036]; Fig. 3) configured to be received in an electrical socket. Screw base (10) includes a bottom portion (36; page 8, paragraph [0047]; Fig. 5) and an annular wall (38; page 8, paragraph [0047]; Fig. 5) extending from the bottom portion (36) and disposed around an interior space of the screw base (10). The screw base is configured for external electrical connection (pages 8-9, paragraph [0048]). The compact fluorescent lamp (9) further includes a circuit board (18; page 6, paragraph [0041]; Figs. 4 and 5) disposed in the interior space of the screw base and having two opposing surfaces, one of the surfaces facing the bottom portion (36) (page 6, paragraph [0041]; Figs. 4 and 5). The compact fluorescent lamp (9) also includes an electronic ballast circuit (16; page 6, paragraphs [0040]-[0041]; Fig. 4) including a plurality of electronic components disposed on both surfaces of the single circuit board (18) (page 6, paragraph [0041]; pages 8-9, paragraph [0048]). Electronic ballast (16) is electrically connected to the screw base (10) to receive power (pages 8-9, paragraph [0048]). A thermally conductive body (40; page 8, paragraph [0047]; Fig. 5) is disposed within and supports the circuit board inside the screw base. The body (40) is in direct thermal contact with the electronic ballast circuit (16) and the annular wall (38) of the screw

base, thus thermally connecting the ballast circuit (16) and the screw base (10) (page 8, paragraph [0047]). The compact fluorescent lamp (9) further includes a fluorescent lamp (12; page 7, paragraph [0043]; Figs. 5 and 6) operatively connected to the ballast circuit (16) and a diffuser cover (14; page 6, paragraph [0039]; page 15, paragraph [0065]; Fig. 3) directly attached to the screw base (10) and surrounding the fluorescent lamp (12) without an intermediate compartment disposed therebetween.

There are no means-plus-function limitations, as permitted by 35 U.S.C. § 112, sixth paragraph, in any independent or separately argued dependent claim.

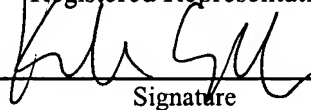
If this communication is filed after a shortened statutory time period has elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. §1.17 should be charged to our Deposit Account No. 15-0700.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief Patents, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on October 4, 2007:

Kourosh Salehi

Name of applicant, assignee or  
Registered Representative

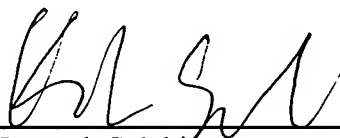


Signature

October 4, 2007

Date of Signature

Respectfully submitted,



Kourosh Salehi

Registration No.: 43,898

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

KS/AV:db